

**A PARENTAL GUIDE TO
MAKING CHILD-FOCUSED
PARENTING TIME DECISIONS**

***Prepared by the Minnesota Supreme Court
Advisory Task Force on Visitation and Child Support Enforcement***

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PURPOSE

Unless special circumstances exist, children generally fare best when they have the emotional support and ongoing involvement of both parents. Ongoing parental involvement fosters positive parent-child relationships and healthy emotional and social development. It is also beneficial to parents because it makes it more likely that the parents will have positive relationships with their children when the children become adults.

For parents who do not live together, it is important to cooperate with each other for the benefit of the children. Children adjust more easily to crisis and loss if their parents work together to develop healthy ways of communicating, resolving problems, and reducing conflict. It is important for parents to remember that formation of a positive parent-child relationship is a life-long process. The key to a successful parent-child relationship is the quality of time, rather than the quantity of time, spent together.

Establishing a parenting time schedule is an area where parents may experience conflict. This pamphlet is designed to assist parents in creating parenting time schedules that focus on their children's developmental needs from infancy through adolescence. It identifies key tasks that children normally accomplish at each stage of development, and then identifies suggestions for parenting time practices aimed at promoting healthy development at each developmental stage. Emphasis is placed on the importance of parents accommodating their children's changing needs by creating parenting time schedules that are routine and predictable, and yet flexible enough to change in frequency and duration to accommodate their children's needs as they grow older.

Parents are encouraged to recognize that a parenting time schedule that is best for one child may not be best for the child's brothers and sisters. Parents are also encouraged to understand that parenting time schedules that are best for their children may not be best for the parents. For the best interests of their children, parents may need to tolerate disruption of their own schedules and more or less parenting time than they might otherwise choose. Many parents may also need to address their own feelings of loss, envy, anger, or disappointment when setting parenting time schedules that are best for their children.

ASSUMPTIONS

The information in this pamphlet is based upon the following assumptions:

- The child will benefit from ongoing and active contact with both parents.
- One parent has sole or primary physical custody of the child.
- One parent has primary responsibility for the day-to-day care of the child.
- Both parents are fit to parent the child.
- Both parents are willing and able to parent the child.
- Child abuse, domestic violence, and chemical dependency issues do not exist.

LIMITATIONS

The information in this pamphlet:

- **DOES NOT** replace or change any parenting time schedule agreed upon by the parents or set forth in a court order.
- **DOES NOT** prohibit or limit parents or judges from establishing parenting time schedules that differ from those recommended in this pamphlet.
- **DOES NOT** mandate minimum or maximum parenting time times.
- **DOES NOT** apply to all families or to all children in all circumstances.
- **IS NOT** "the law" and, while they are encouraged to do so, parents are not required to follow the parenting time suggestions in this pamphlet.

SPECIAL SITUATIONS

The parenting time suggestions in this pamphlet may not be appropriate if there is genuine concern about a child's emotional or physical safety when with a parent. The parenting time suggestions in this pamphlet may not apply, or may need to be adjusted, if any of the following special situations exist:

- Physical, sexual, or emotional child abuse has occurred.
- Domestic violence has occurred between the parents or between a parent and child.
- Drug or alcohol abuse has occurred.

Child Abuse, Domestic Violence, and Chemical Dependency

Parents who have valid concerns for the safety of their children should seek help from an attorney, mediator, court services, child psychologist, domestic abuse office, or the local county social services agency.

When a Parent Has Been Absent

When a parent, for whatever reason, has never been a part of the child's life or has not had any contact with the child for an extended period of time either in person, by phone, or in writing, both parents should consider the possible problems the child may have if lengthy or overnight parenting time were to start right away. Instead, the parenting time schedule should gradually reintroduce parent and child, taking into consideration the child's stage of development and the child's ability to transition well to parenting time with the parent.

WHAT PARENTS CAN DO TO HELP

Keep Children Out of the Middle

- **Parents can keep their children out of the middle of adult issues by not using the children as messengers.** Sometimes the message is something as innocent as a reminder that the child must take her medication before bedtime. Other times, the message may be that the child support payment will be late. Unfortunately, we all know what happens to the bearer of bad news. If the message was difficult for one parent to say directly to the other parent, just imagine how difficult it will be for the child to relay that message. Instead of using their children as messengers, parents should either deal directly with each other or through a mutually agreed upon adult.
- **Parents can keep their children out of the middle of adult issues by not asking them to report about what is going on in the life of the other parent.** Any time children are asked to divide their loyalty, or to betray one parent to another, the children feel guilty or as if they are being asked to stop loving one parent. It is certainly appropriate for parents to show interest in the lives of their children by asking "how was your weekend visit?" But, if the interest is not in the child or in how the child feels, the child will pick up on this and may eventually feel angry and used.
- **Parents can keep their children out of the middle of adult issues by not attacking or putting down the other parent.** Some parents find themselves so angry with the other parent that they vent their anger in front of their children. Other parents may say things to try to make themselves look good and the other parent look bad. Children identify with both parents. If one parent puts down the other parent, in the eyes of the child it is as if that parent is also putting down the child.

Establish a Workable Means of Communication

Parents can help their children by establishing a workable means of communicating with each other about their children. At first, some parents may find it difficult to separate their feelings about the relationship or the other parent from their need to give and receive information about the children. Parents can overcome this problem by communicating with each other about their children in a "business-like" manner. This may include agreeing about the time, place, and manner of their communication. It may also include establishing a list of topics and sticking to it. Parents who are unable to talk to each other because of ongoing conflict, hostility, or issues of domestic violence, may find it easier to communicate by putting the information in writing or by communicating through a mutually-agreed upon adult. Except in cases where there is an Order For Protection or other court order prohibiting contact, parents should keep each other or a mutually agreed-upon third person advised of their home and work addresses and telephone numbers. In cases where there is an Order for Protection or other court order prohibiting contact, the parent must follow the order or ask the court to modify the order to permit communication regarding the children.

Resolve Conflict Quickly

Parents can help their children by cooperating with each other and by quickly resolving their conflict. Children whose parents are involved in ongoing conflict over parenting time, child support, or other issues may experience anger, anxiety, depression, or developmental delays. Parents may resolve conflict in a variety of ways, including consulting family members, religious leaders, mediators, parenting time expeditors, county child support officers, attorneys, or others. Parents may also wish to seek help for their children by consulting a child psychologist or by seeking services from the local social service agency. Court administrators maintain lists of local mediators and parenting time expeditors. The local association of attorneys maintains a list of attorneys.

Separate Parenting Time and Child Support

Parents can help their children by not withholding child support or parenting time. Children generally fare best when they have the emotional and financial support and ongoing involvement of both parents. A parent does not have a right to withhold parenting time or child support because of the other parent's failure to comply with court-ordered parenting time or support. In other words:

- The custodial parent cannot withhold parenting time if the noncustodial parent fails to provide child support.
- The noncustodial parent cannot withhold child support if the custodial parent fails to allow parenting time.

Rather than withholding parenting time or support, there are more productive, effective and, if need be, legal ways for parents to resolve support and parenting time issues. Parents experiencing conflict over parenting time or child support may wish to consult a mediator, attorney, parenting time expeditor, or county child support office.

Respect Parent-Child Relationships

Parents can help their children by respecting and supporting each child's relationship with the other parent. Unless agreed upon by both parents, parents should not plan activities for children that conflict with the other parent's scheduled time with the children. The time a parent is scheduled to spend with the children belongs to that parent and the children. The other parent should not interfere with this time. Parents can also help their children by adjusting the schedule to permit their children to participate in reasonable extracurricular activities.

Facilitate Transition from One Parent to the Other

Parents can help their children transition from one home to the other by understanding their children's anxieties and by assuring them that both parents will continue to love them and to be involved in their lives. Children commonly experience separation anxiety. This does not necessarily mean that the child has a poor relationship with either parent. For the child, it may be just like the divorce or separation is happening all over again. Children under age five generally do not understand the concept of time, such as hours, days, or weekends. Parents of young children can help them understand when the child will spend time with each parent by creating a calendar with different colors for each parent.

Encourage Telephone and Other Contact

Parents can help their children by calling and writing to them and by reasonably encouraging and assisting them to call and write to the other parent. Children do best when they are able to maintain contact with both parents. While parenting time is one way to maintain that contact, other ways include telephone calls, letters, e-mail, and other forms of communication. Telephone calls between parent and child should be permitted at reasonable hours and at the expense of the calling parent. Unless restricted by court order, parents have a right to send cards, letters, packages, e-mail, audiotapes, and videocassettes to their children. Children have the same right to send items to their parents. Parents should not interfere with these rights.

Establish Similar Household Routines

Parents can help their children by following similar routines for mealtime, bedtime, and homework time. Parents can also help their children by accepting that they have limited control over what happens in the other parent's home and by respecting the authority of the other parent. From a very young age, children learn that their parents have different parenting styles. Children can adjust to some differences in routines between their parents' homes. Developmentally, though, children cope better when there is general consistency between their parents' homes because it helps them have a sense of order.

Provide Child's Belongings

Parents can help their children transition between their parents' homes by sending along the children's important belongings, such as clothing, medicine, and equipment. Parents can also help their children by sending along personal objects, such as blankets, stuffed animals, photos, or memorabilia of the other parent.

Support Contact with Grandparents and Other Extended Family

Parents can help their children maintain important family ties by arranging for the children to visit their father's family when they are with their father, and by arranging for the children to visit their mother's family when they are with their mother. Children who have had loving relationships with their grandparents and other extended family members need to maintain those ties, otherwise they may experience a sense of loss.

Facilitate Temporary Schedule Adjustments

Parents can help their children by giving as much advance notice as possible when requesting a temporary adjustment to the parenting time schedule. Family emergencies, illness of a parent or child, or special events of a parent or child may require temporary adjustment to the parenting time schedule. Parents can help their children by scheduling an alternate parenting time to take place as soon as possible.

Accommodate Vacation Plans

Parents can help their children by understanding that it is important for each parent to vacation with their children. Parents can help their children by scheduling their vacation times so that they do not interfere with the other parent's time with the children or with the children's schedules. Vacation, whether during school breaks or during the summer, can be a time for parents and children to expand their relationship. Vacation is also important because it gives the other parent time off from the demands of parenting. Vacation time takes precedence over regular parenting time unless a court order or an agreement of the parents provides otherwise.

Establish a Routine for Picking Up and Dropping Off Child

Parents can help their children by agreeing on who will pick up and drop of the children and where this will take place. Parents can also help their children by having the children ready and by being on time. When picking up and dropping off children, it is important to avoid communication that may lead to conflict. Neither parent should enter the home of the other parent without permission. Parents should take all necessary safety precautions when transporting, picking up, and dropping off their children.

PARENTING TIME SUGGESTIONS

Generally

Children generally fare best when they have the emotional and financial support and ongoing involvement of both parents. Establishing a parenting time schedule is one way to ensure and foster that contact. The child's needs are the key factors for parents to consider when establishing a parenting time schedule. These needs change as the child grows older and moves from one developmental stage to the next. The developmental needs of an infant, for example, are different from those of a toddler or a teenager.

This section identifies key tasks that children normally accomplish at each stage of development before moving on to the next developmental stage. In considering these developmental tasks, it is important to always keep in mind that each child is unique, that all children do not progress at the same rate, and that "normal" development has a tremendous range at each age. Thus, some six-year-old children progress quickly and do what might be typical of an eight-year-old child, while other six-year-old children progress more slowly and do what might be typical of a five-year-old child.

This section also identifies parenting time suggestions that promote healthy development at each stage. Rather than rigidly applying these parenting time suggestions, parents are strongly encouraged to apply them in a way that best meets the specific developmental needs of each child. This may mean that parents establish different parenting time schedules for each of their children.

The child's developmental stage is only one factor parents should consider when deciding which parenting time arrangement is best for each child. Other factors parents need to consider when establishing a parenting time schedule include:

- Any special needs of the child and parents.
- The routines and schedules of the child and parents.
- Any mental health issues relating to the child or parents.
- Each parent's past caregiving history.
- The child's relationship with each parent.
- The child's relationship with grandparents and extended family members.
- The child's relationship with and any step-family members.
- The distance between parental homes.
- Whether the child's brothers and sisters will participate in the child's parenting time.
- The child's temperament and ability to make a calm transition between homes.
- The length of time that has passed since the separation or divorce.
- The ability of the parents to cooperate.
- The child's and parents' cultural and religious differences.
- Transportation and other costs related to parenting time.
- Any other factor(s) that will enable the child and noncustodial parent to maintain a child to parent relationship that is in the best interests of the child.